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(54) Title: METHODS FOR IDENTIFYING MODULATORS OF BS69 ACTIVITY (57) Abstract An endogenous human protein designated BS69 is identified as a new modulator of the Transforming Growth Factor- β (TGF- β) cell signalling pathway. Methods are provided to identify compounds that interfere with the biological activity of BS69 on the TGF- β cell signalling pathway. Such compounds have potential as therapeutic agents.		

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METHODS FOR IDENTIFYING MODULATORS OF BS69 ACTIVITY

A new modulator of the Transforming Growth Factor- β (TGF- β) cell signalling pathway is described, namely an endogenous human protein designated BS69. Methods are provided to identify compounds that interfere with the biological activity of BS69 on the TGF- β cell signalling pathway.

TGF- β itself regulates, *inter alia*, cell proliferation and differentiation, gene expression, embryonic development, extracellular matrix formation, haematopoiesis, apoptosis, wound healing, bone development and immune and inflammatory responses. The multiple effects of TGF- β lead to the medical need for both agonists and antagonists of its action. Jackson (Exp. Opin. Ther. Patents. (1998) 8(11):1479-1486) reviews key patents and scientific publications directed to modulation of the activity of TGF- β .

TGF- β cell signalling failure is implicated in a number of different tumour types and in the generation of human fibrotic disorders. Cell signal failure within other receptors in the TGF- β super family is implicated in other diseases such as arthritis, atherosclerosis, apoptosis, inflammation, wound healing and diabetic nephropathy. It is also known that administration of TGF- β helps prevent mucositis and alopecia in patients undergoing chemotherapy or radiotherapy (PCT Publication No. 94/06459) and lowers resistance of multi-drug resistant malignant cells to chemotherapy (PCT Publication No. 92/13551).

TGF- β is one growth factor of a large super family which play broad roles in cell growth and differentiation in a variety of organisms. Examples of groups within the super family are the TGF- β set, activin/inhibin set, Mullerian inhibiting substance, glial cell line-derived neurotrophic factor and Bone Morphogenetic Proteins (BMPs).

Within the TGF- β subset the biological response to the growth factor is first initiated by binding of TGF- β to its respective receptor. The receptor is formed from two components TGF- β receptor I (T β R-I) and TGF- β receptor II (T β R-II) both of which contain cytoplasmic serine/threonine kinases and both of which are required for effective cell signalling (Wieser, R. et al., Mol. Cell. Biol. (1993) 13:7239-7247).

It was not until recently that the biological molecules involved in signal cell transduction of TGF- β were discovered. Through screening of genes in transgenic *Drosophila* expressing only partially active decapentaplegic (DPP), which is equivalent to BMP in

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vertebrates, a new gene was found [Mothers against DPP(Mad)] which was able to restore the phenotype to the transgenic *Drosophila* expressing only partially active DPP protein (Sekelsky et al. Genetics (1995) 139:1347-1359). Analysis of the Mad gene sequence showed it to be closely homologous to the *sma* genes of *Caenorhabditis elegans* and the putative human tumour suppressor gene DPC4 (Deleted in Pancreatic Carcinoma). Such genes, of which several have now been identified, are now collectively referred to as Smad (Derynck, R. et al., Cell (1996) 87:173).

The Smad proteins constitute a unique signalling pathway which convey signals directly from TGF- β type receptors to the nucleus, where they modulate gene transcription. There is close homology between many of the Smad proteins across species to such a degree that Smad proteins from one species may elicit a response in a different species. Many Smad proteins (Smad 1, 2, 3, 5 and others) are specific to the pathway associated with a particular receptor, others (Smad 4) act as a common mediator in different pathways, others (Smad 6 and 7) are inhibitory Smads that bind TGF- β receptor and block phosphorylation of the specific Smads. Current understanding of the TGF- β signalling pathway is briefly described below, a full review can be found in Heldin et al., (Nature (1997) 390: 465).

In brief, the mechanism of receptor cell signal transduction involves the following steps. For TGF- β signalling, the T β RI and II receptors are activated by autophosphorylation following TGF- β binding to the receptor complex. Smad 2 or 3 associate with the activated receptor complex and are themselves phosphorylated at a characteristic C-terminal Ser-Ser-X-Ser motif. After activation, the Smad 2/3 forms a stable complex with the common mediator Smad 4, which in turn translocates to the nucleus where it directly or indirectly modulates gene transcription.

As described above the TGF- β signalling pathway is implicated in a number of different diseases and as such this biological mechanism represents an attractive target for intervention in treating such diseases.

BS69 (Hateboer, R. et al., EMBO Journal (1995) 14(13):3159-3169 and PCT Publication No. WO 97/00323) is described as being an adenovirus EI-A-associated protein which inhibits EIA adenovirus gene transactivation. A later disclosure (Kurozumi, K. et al., (1998) 3(4):257-264) describes an alternatively spliced, and considerably shorter, form of

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BS69, which they call BRAM1 (BMP Receptor Associated Molecule 1), as being able to complex intracellularly with the BMP receptor.

We have found through the use of protein hybridisation studies that the protein BS69 complexes with the Smad 2 and 3 proteins.

5 Whilst BMP is a member of the TGF- β superfamily of growth factors/receptor types it is known that BMP does not elicit signal transduction through Smad 2 or 3 proteins. In addition Kurozumi et al. found that full length BS69 did not complex with the BMP receptor and, therefore, no cellular function for the BS69 protein was described. Indeed, Kurozumi et al. remark "Therefore, the function of BRAM-1 may be different from that of BS69. At
10 present, the cellular function of BS69 is not known". The present inventors have discovered a new cellular mechanism of action for the BS69 protein.

We present as the first feature of the invention a method for the discovery of a modulator of BS69 activity, which method comprises contacting an assay system capable of presenting information on the effects of a chemotherapeutic agent on the activity of BS69 or a
15 derivative thereof with a potential chemotherapeutic agent under conditions in which BS69 is active in the absence of the potential chemotherapeutic agent and measuring the extent to which the potential chemotherapeutic agent is able to modulate the activity of BS69.

There is therefore provided, a method for identifying modulators of BS69 activity, which method comprises contacting an assay system, capable of presenting information on the
20 effects of a test compound on the activity of BS69 or a derivative thereof, with a test compound and measuring the activity of BS69.

Preferably BS69 activity may be described as the binding of BS69, or a fragment thereof to a human BS69 binding substrate. A "human BS69 binding substrate" is a protein endogenously expressed in human cells which is capable of having its biological function
25 modulated by binding of BS69. For the avoidance of doubt, adenovirus E1A protein is not a human BS69 binding substrate. Preferably the human BS69 binding substrate is selected from Smad 2, Smad 3, a complex of Smad 2 and Smad 4, and a complex of Smad 3 and Smad 4, or individual fragments thereof (herein after called BS69 binding substrate), more preferably the BS69 binding substrate is Smad 2 or Smad 3, or fragments thereof capable of
30 binding BS69. A "human BS69 binding substrate" may also be a nucleic acid to which BS69 or a protein complex comprising BS69 binds, such as a BS69 transcription factor dependent

promoter or other regulatory elements which are affected directly or indirectly by binding of BS69. A preferred promoter element whose regulation is controlled in part by BS69 is plasminogen activator inhibitor-1 (PAI-1).

Thus according to a further aspect of the invention there is provided a method for the
5 discovery of a modulator of BS69 activity, which method comprises contacting an assay system capable of presenting information on the effects of a chemotherapeutic agent on the binding of BS69 or a derivative thereof to a human BS69 binding substrate with a potential chemotherapeutic agent under conditions in which BS69 binds to the human BS69 binding substrate in the absence of the potential chemotherapeutic agent and measuring the extent to
10 which the potential chemotherapeutic agent is able to modulate the activity of BS69.

According to a further aspect of the invention there is provided a method for the discovery of a modulator of BS69 activity, which method comprises contacting an assay system capable of presenting information on the effects of a chemotherapeutic agent on the binding of BS69 or a derivative thereof to a BS69 binding protein with a potential
15 chemotherapeutic agent under conditions in which BS69 binds to the BS69 binding protein in the absence of the potential chemotherapeutic agent and measuring the extent to which the potential chemotherapeutic agent is able to modulate the activity of BS69.

According to a further aspect of the invention there is provided a method of screening for an agent useful in treating disorders characterised by an abnormality in a TGF- β signalling
20 pathway, wherein said pathway involves an interaction between BS69 and a human BS69 binding partner, comprising screening potential agents for ability to disrupt or promote said interaction as an indication of a useful agent.

Potential chemotherapeutic agents which may be tested in the screen include those molecules, whether simple organic molecules, for example, of less than 2000 Daltons or
25 larger biologic molecules, such as peptides, antibodies or DNA/RNA sequences, which may modulate the biology or pharmacology of BS69 activity, for instance by affecting the protein:protein binding of BS69 to a human BS69 binding substrate or by modulating the expression of DNA or RNA which encodes BS69. Suitable molecules include simple organic molecules, mimetics, nucleotide sequences, antibodies and any other molecules that modulate
30 the activity of BS69. Chemotherapeutic agents/test compounds include both chemical and biological molecules.

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It will be appreciated that there are many assay systems which may be employed to perform the present invention. Examples of assay systems used to detect agents which may modulate the biological or pharmacological activity of BS69 are:

- In vitro* proximity assays such as a scintillation proximity assay (SPA), as described in
- 5 Udenfield et al., (Anal. Biochem. (1987) 161:494). In SPA derivatised microspheres which contain a scintillant and a fluorophore are used which attach through the derivatised group to a biological molecule of interest. When the biological molecule of interest binds a radiolabelled molecule then the proximity of the radiolabel to the scintillant causes increased emission of radiation signal and measurable increases in fluorophore excitation. In the present case, for
- 10 example, BS69 is bound to a scintillant/fluorophore containing microsphere through, for example, a streptavidin/biotin bridge, and a human BS69 binding substrate is radiolabelled or bound to a support with a radiolabel. Any potential chemotherapeutic agent which affects the way in which BS69 binds to the human BS69 binding substrate will affect the radiation emitted by the system. Alternatively instead of radiolabels and scintillants, fluorophore donor
- 15 and acceptor molecules may be used in what is called homogeneous time resolved fluorescence (HTRF), for example the acceptor fluorophore can be XL 665 and the donor fluorophore is europium (CIS Bio.). A further preferred feature of the invention is the invention as defined above wherein the assay system is a proximity assay, preferably SPA or HTRF.
- 20 *In vitro* cellular assay systems may be used. For example, a measurable output of BS69 activity could be detected when a reporter gene is placed under the control of the TGF- β signal transduction pathway. A stable cell is created which has a reporter gene under transcriptional control of the TGF- β pathway and which also expresses BS69, such a cellular assay may be prepared as described in US 5,436,128. Genes under TGF- β control which may
- 25 be replaced by a reporter gene, for example by homozygous recombination, include plasminogen activator inhibitor-1, p15^{ink4b}, and p^{WAF1}, (Attisano et al., Biochemica et Biophysica Acta (1994) 1222:71-80; Hannon and Beach, Nature (1994) 371:257-261; and, Datto et al., J.Biol.Chem., (1995) 270:28623-28628). In this way, stimulation or inhibition of signal transduction results in stimulation or inhibition of reporter gene activity and potential
- 30 test agents which interfere with BS69 activity may be detected. Suitable reporter genes include the β -galactosidase lac Z gene of *E. coli* (Casadaban et al., Meth. Enzymol. (1983)

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100:293-308) or the firefly luciferase gene (de Wet et al., Proc. Nat. Acad. Sci. USA (1985) 82:7870-7873).

We present as a feature of the invention a method for the discovery of a modulator of BS69 activity, which method comprises contacting a potential chemotherapeutic agent with a cell comprising a reporter gene, expression of the reporter gene being under the control of the TGF- β signal pathway which is in turn under the control of BS69, a promoter which is activated by the TGF- β signal pathway and which has the gene encoding the reporter protein under its control, and determining modulation of BS69 by the potential chemotherapeutic agent by reference to any change in the expression of the reporter gene. Preferably the measurement of reporter gene expression is compared with a control cell construct wherein the reporter gene is under the control of the TGF- β signal pathway but in which BS69 is not expressed. The cell is preferably a mammalian cell, more preferably a stably transfected cell or cell line.

The promoter may be a naturally occurring promoter for TGF- β signalling, or it may be a synthetic promoter responsive to the TGF- β transduction pathway. Synthetic promoters would comprise one or more response elements to the signalling pathway, as well as elements such as a TATA box, required for correct transcription initiation. A preferred promoter is plasminogen activator inhibitor-1 (PAI-1).

The components of the TGF- β signalling pathway may be endogenously expressed within the cells used in such assay, for example by the use of mammalian cell lines. Alternatively, components, such as heterologous receptors, may be expressed so that they couple to the TGF- β signalling pathway. Also, an endogenous component may be removed, for example by gene deletion, and replaced with an exogenous protein which will restore the function of the pathway.

An alternative *in vitro* cellular system is the two-hybrid assay system. The two-hybrid system uses the ability of a pair of interacting proteins to bring a transcription activation domain into close proximity with a DNA-binding site that regulates the expression of a reporter gene. Commercially available systems such as the CLONTECH, Matchmaker™ systems and protocols may be used with the present invention. (See also, Mendelsohn, A.R., Brent, R., Curr. Op. Biotech., 5:482 (1994); Phizicky, E.M. and Fields, S., Microbiological Rev., 59(1):94 (1995); Yang, M., et al., Nucleic Acids Res., 23(7):1152 (1995); Fields, S. and

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Sternglanz, R., TIG, 10(8):286 (1994); US Patents 5,283,173 and 5,468,614). Two hybrid screening systems can be practised either with a positive readout or with a negative readout. Recently, some examples of "reverse" two-hybrid systems have been described. Leanna, C.A. and Hannick, M. (Nucl. Acids Res. (1996) 17:3341-3347) use an output in which a gene under the control of the two hybrid system is toxic in the presence of cycloheximide. Vidal, M., Brachmann, R., K., Fattaey, A., Harlow, E. and Boeke, J.D. (Proc. Natl Acad. Sci. U.S.A. (1996) 93:10315-10320) use the property of the URA3 gene product that it can be selected against by 5-fluoro-orotic acid. It is possible to test the ability of a potential chemotherapeutic agent to interfere with the binding of BS69 and a BS69 binding substrate, where BS69 is expressed as a fusion protein to a part of a transcription factor, either the transcription activation domain or the DNA-binding site, and the human BS69 binding substrate is expressed as a fusion protein to the other part of the transcription factor. Such that, if hybridisation of the transcription factor is prevented from occurring by a chemotherapeutic agent then transcription of a reporter gene under transcriptional control of the transcription factor is interrupted.

Several variations on the two hybrid system are known, and may be configured for use in the present invention. For example, a "tribrid" system has been described in which the two hybrid interaction will only occur if one component is phosphorylated by a kinase introduced into the cell (Osborne, M.A., Dalton, S. and Kochan, J.P. (1995) Bio/Technology 13, 1474-1478).

The two hybrid or tribrid systems can be adapted for use in yeast or, preferably, mammalian cells.

We present as a feature of the invention a method for the discovery of a modulator of BS69 activity, which method comprises contacting a potential chemotherapeutic agent with a cell comprising a transcription factor dependant promoter, a reporter gene under the control of the transcription factor dependant promoter, a fusion protein of BS69, or a human BS69 binding substrate, and a domain of a transcription factor which binds to the promoter and a second fusion protein of a human BS69 binding substrate, or BS69, and a domain of the transcription factor which activates transcription, wherein binding of BS69 to the human BS69 substrate causes the two domains of the transcription factor to become disposed to promote expression of the reporter gene, and determining modulation of BS69 activity by the

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potential chemotherapeutic agent by reference to any change in the expression of the reporter gene. It will be apparent that in the above system one of the fusion proteins will have a BS69 binding component and the other will have a BS69 binding substrate component.

As described above, an alternative approach to the intervention of BS69 binding to a
5 BS69 binding substrate is to affect gene transcription or gene translation in the cell and thus prevent BS69 protein production in the cell. A variety of points in these processes may be disrupted such as by interference by a chemotherapeutic agent in the binding of BS69 transcription factors to the upstream promoter sites or by a chemotherapeutic agent binding to the coding DNA or mRNA (such as anti-sense nucleotides) of BS69.

10 Assay methods which may be utilised in the performance of the above aspect of the invention include those disclosed in European Publication No. 0483249.

Compounds that modulate the expression of DNA or RNA encoding the BS69 polypeptide may be detected by a variety of assays. The assay may be a simple "yes/no" assay to determine whether there is a change in expression of a reporter gene. The assay may
15 be made quantitative by comparing the expression or function of a test sample with the levels of expression or function in a standard sample. Systems in which transcription factors are used to stimulate a positive output, such as transcription of a reporter gene, are generally referred to as "one-hybrid systems" (Wang, M.M. and Reed, R.R. (1993) *Nature* 364:121-126). Using a transcription factor to stimulate a negative output (growth inhibition) may thus
20 be referred to as a "reverse one-hybrid system" (Vidal et al, 1996, *supra*). Therefore, in an embodiment of the present invention, a reporter gene is placed under the control of a BS69 promoter.

In a further aspect of the invention we provide a heterologous cell wherein expression in the cell of a reporter gene is under the control of a BS69 transcription factor dependent
25 promoter, and wherein expression of the transcription factor is inducible, whereby inhibition of gene transcription by the potential chemotherapeutic agent may be determined by reference to a lack of expression of the reporter gene.

In a further aspect of the invention we provide a cell or cell line comprising a reporter gene under the control of a BS69 transcription factor dependent promoter.

30 We also provide a method for identifying inhibitors of BS69 transcription which method comprises contacting a potential therapeutic agent with a cell or cell line as described

above and determining inhibition of BS69 transcription by the potential therapeutic agent by reference to a lack or reduced expression of the reporter gene.

A method for identifying modulators (activators or inhibitors) of BS69 transcription which method comprises contacting a cell or cell line as described above, said cell or cell line
5 also supplied with exogenous or endogenous BS69, with a test compound and determining the effect on BS69 transcription by the test compound by reference to enhanced or reduced expression of the reporter gene.

In general, eukaryotic transcription factors consist of a DNA binding domain and a transcription activation domain (Ptashne (1988) Nature **335**:683-689). Frequently these
10 factors are dimers. Thus there may be three interfaces at which interference with a chemotherapeutic agent may inhibit a transcription factor: the DNA:protein interface, the dimerisation interface, and the interface between the activation domain and the transcription apparatus (Peterson, M.G. and Baichwal, V.J. (1993) TibTech **11**:11-18). To find inhibitors of the interaction of mammalian DNA binding protein with its binding site, a transcription
15 activation domain is fused to said DNA binding domain in order to make a transcription factor which functions in the cell type of interest. Conversely, if the interaction between an activation domain and the transcription machinery is of interest, a DNA binding domain may be fused to the activation domain of interest to yield a transcription factor. In such circumstances, it may also be desirable to express within the cell the protein which the
20 activation domain contacts. Generally, activation domains are believed to activate transcription through recruitment of the RNA polymerase holoenzyme (Ptashne, M. and Gann, A. (1997) Nature **386**:569-577). This recruitment occurs through protein:protein interactions. Using genetic techniques it is possible to substitute components of the *S. cerevisiae* holoenzyme for mammalian homologues. In this way the protein:protein
25 interaction of interest may be reconstituted using components from the same species.

Reference to BS69 its polypeptide, DNA or RNA sequences include references to derivatives thereof. Derivative polypeptides, or DNA/RNA sequences, of BS69 include:

- i) allelic variations of BS69, in particular any single nucleotide polymorphism (SNP);
 - ii) a fragment of BS69, i) or iii) capable of binding to BS69 binding substrate; and
 - 30 iii) a mutant form of BS69, i) or ii),
- and, preferably, exclude BRAM1.

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Particularly preferred polypeptide fragments are those which are at least 15 amino acid long and include wholly or at least partially the Smad binding domain of BS69. The Smad binding domain has been localised to between about amino acid 450 and the C-terminus of the BS69 protein (as 562) disclosed as SEQ ID No. 2 in PCT Publication No. WO 97/00323.

5 Thus, preferred fragments or polypeptides of BS69 include this region. In WO 97/00323 the E1A binding domain was localised to between amino acids 412 and 532. We have found that the Smad2 binding domain is contained within amino acids 443-562. It is evident that the area of BS69 that mediates interaction with E1A also mediates interaction with Smad2. It is likely therefore that the domain lies within the region defined by amino acids 443 and 512.

10 Particularly preferred fragments for use in the invention include the BS69 polypeptide sequence from amino acids 450-562 or 443-562 or 443-512 or 450-512.

For the purposes of this application the nucleic acid and amino acid sequence of BS69 referred to herein are disclosed in PCT Publication No. WO 97/00323 SEQ ID NO:1 and 2.

Allelic variations or SNPs in the BS69 DNA sequence may be detected by alteration in
15 the pattern of restriction fragment length polymorphisms capable of hybridising to SEQ ID NO:1 of WO 97/00323 or by the inability of allele-specific oligonucleotide probes to specifically hybridise to SEQ ID NO:1 of WO 97/00323 under appropriate conditions. BS69 SNPs can also be determined by nucleic acid sequencing.

It will be readily appreciated by the skilled reader that as a result of the degeneracy of
20 the genetic code, a multitude of sequences some having minimal homology (sequence identity) to any naturally occurring gene for BS69, may be produced and found to have utility in the present invention. Thus, the invention contemplates each and every possible variation of nucleotide sequence based on possible codon choices coding for the same amino acid.

Monospecific antibodies to BS69 may be purified from mammalian antisera
25 containing antibodies reactive against the polypeptide or are prepared as monoclonal antibodies reactive with the BS69 using the technique of Kohler and Milstein, (Nature, (1975) 256:495). Mono-specific antibody as used herein is defined as a single antibody species or multiple antibody species with homogenous binding characteristics for BS69. Homogenous binding as used herein refers to the ability of the antibody species to bind to a specific antigen
30 or epitope. BS69 specific antibodies are raised by immunizing animals such as mice, rats, guinea pigs, rabbits, goats, horses and the like, with rabbits being preferred, with an

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appropriate concentration of BS69 either with or without an immune adjuvant and optionally conjugated to a carrier protein such as albumin.

Further features of the invention include:

A method of treatment of a patient in need of such treatment for a condition which is
5 mediated by the biological or pharmacological activity of BS69 on a human BS69 binding substrate, comprising administration of a polypeptide substantially as depicted in WO97/00323 SEQ ID NO:2 or a pharmacologically active fragment thereof.

A method of treatment of a patient in need of such treatment for a condition which is mediated by the biological activity of BS69 on a human BS69 binding substrate, comprising
10 administration of a nucleic acid substantially as depicted in WO97/00323 SEQ ID NO:1 or the anti-sense sequence or a biologically-effective fragment of either thereof.

A method of treatment of a patient in need of such treatment for a condition which is mediated by the biological activity of BS69 on a human BS69 binding substrate, comprising administration of an antibody against BS69 substantially as depicted in WO97/00323.

15 A compound that modulates the biological or pharmacological activity of BS69 on a human BS69 binding substrate identified by the method of the invention as described above.

A compound that modulates BS69 transcription or other BS69 activity, identified according to the methods of the invention as described above.

A pharmaceutical composition comprising a compound that modulates the biological
20 or pharmacological activity of BS69 on a human BS69 binding substrate identified by the method of the invention as described above.

A method of treatment of a patient in need of such treatment for a condition which is mediated by the pharmacological or biological activity of BS69 on a human BS69 binding substrate comprising administration of a modulating compound or pharmaceutical
25 composition thereof identified by the method of the invention as described above.

Use of a polypeptide, nucleic acid, antibody or any other therapeutic agent substantially as depicted in WO97/00323, in the manufacture of a medicament for treating diseases mediated by TGF- β , particularly abnormal TGF- β expression.

The teaching in WO 97/00323 is incorporated herein by reference.

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Example 1**Identifying BS69 as a modulator of the TGF- β signalling pathway.**

In order to identify novel modulators of the TGF-beta signalling pathway we
5 employed the two hybrid screening methodology. The two hybrid system can be used in
order to detect expressed proteins from a cDNA library that interact with a protein of interest.
The protein that we used as bait was Smad2. Smad2 is one of the pathway specific Smads
and is known to lie on the TGF-beta pathway from receptor to nucleus. Smad2 has been
shown to be in a complex with Smad4 and Fast-1 on the TGF-beta inducible Xenopus
10 promoter, Mix.2 .

Two Hybrid Screen Construction

Human full length Smad2 was isolated by PCR from a human brain cDNA library (OriGene
15 Technologies, Rockville MD.) and cloned into PCRScript® (Stratagene). SEQ ID Nos. 1 and
2 were the oligonucleotide primers used for the PCR synthesis.

The full length human Smad2 insert was excised from the PCRScript® using Sma I
and Sal I restriction endonucleases and cloned into the two hybrid bait vector pGBD-1 (James,
Genetics (1996) 144:1425-1436) resulting in a N-terminal Gal4 DNA binding domain fusion
20 with full length human Smad2 (Gal4::Smad2). In order to verify that full length Smad2 was
interaction competent, Xenopus Fast-1 and human Smad4 were cloned into the activation
domain fusion vector pGAD-1 (AD::Fast1, AD::Smad4). It had been previously shown that
these proteins will interact with human Smad2 (Chen, Nature (1997) 398(4):85-88). As such,
the Smad2/Fast-1 and Smad2/Smad4 interaction was used as a positive control for the ability
25 of Smad2 to interact with other proteins in the yeast two hybrid system.

Human full length Smad4 was isolated in a similar manner to Smad2 from a human
skeletal muscle cDNA library using oligonucleotide primers corresponding to SEQ ID Nos. 3
and 4.

Xenopus Fast-1 was inserted into PCRScript® by amplification of a cloned Xenopus
30 Fast-1 sequence (C.Hill, ICRF, London) and then excised with Sma I and Bgl II restriction

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endonuclease and cloned into pGAD-1. The primers used for the PCR reaction were SEQ ID Nos. 5 and 6.

As a negative control human Smad1 was isolated and cloned into pGAD-1 (AD::Smad1). Smad1 does not interact with Smad2 *in vivo* or *in vitro* (Zhang et al. Nature 5 (1996) 383:168-172; Lagna, G., et al Nature (1996) 383:832-836). The primers used for the PCR reaction were SEQ ID Nos. 7 and 8.

The yeast two hybrid system used is that of Vidal et al., (PNAS USA (1996) 93:10321). The *S. cerevisiae* screening strain, MAV203, has three reporter genes (HIS3, URA3, and LacZ) stably integrated in single copy numbers at different loci in the yeast 10 genome. Interaction of an activation domain fused protein with a DNA bound protein of interest will result in induction of the His3, Ura3, and LacZ reporter genes allowing growth of MAV203 on medium lacking histidine and uracil, and producing blue colonies when assayed with X-Gal (5-bromo-4-chloro-3-indolyl-b-D-galactopyranoside). MAV203 was transformed with combinations of the different control plasmids and were scored on their ability to grow 15 on medium lacking uracil and histidine, and producing blue colour. This was done on a scale of +++, meaning very high, to -, meaning none.

Table 1 indicates that when GAL4::Smad2 is transformed into MAV203 on its own it cannot activate any of the reporter genes. If Smad2 is co-transformed with AD::Fast-1 a strong interaction is observed between the two as indicated by very high activation of the 20 reporter genes. A similar strong interaction is observed between the Smad2 and AD::Smad4 fusion proteins in the two hybrid assay. Contrasting this, no interaction was observed between Smad2 and AD::Smad1 and none of the activation domain tagged proteins were able to activate the reporter genes on their own. This indicates that the GAL4::Smad2 fusion protein is functional in its ability to interact with other proteins.

25 A screen was then performed in order to identify proteins that interact with Smad2. MAV203 was co-transformed with GAL4::Smad2 and a human skeletal muscle two hybrid cDNA library (Clontech). 5.9×10^6 independent co-transformants were assayed for their ability to interact with Smad2. Five different proteins were isolated and showed varying ability to interact with GAL4::Smad2 from very strong (+++, 1 isolate), strong (++, 2 isolates) 30 and weak (+, 2 isolates) as assayed by their ability to activate all three reporter genes. The

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cDNA containing plasmids were isolated and co-transformed with GAL4::Smad2 as a check for "true positive". All five retained that ability to activate the three reporter genes.

The strongest interactor, Cl.51, was isolated independently in the screen 33 times. Sequence analysis of the longest isolate of Cl.51 indicated that it was a previously identified
5 protein BS69. BS69 was previously identified as a protein that interacts with the adenoviral 289R E1A gene product and in doing so inhibits its ability to activate transcription (Hateboer, R. et al., EMBO J. (1995) **14(13)**:3159-3169). BS69 is a 562 amino acid protein and has a single corresponding mRNA species of approximately 4.7 kb. The longest isolate of BS69 in the present two hybrid screen was 2200bp, encoding the C terminal region of the protein from
10 amino acid 450 to 562 and the 3' untranslated region. This area of the C terminus of BS69 contains the E1A interaction domain (Hateboer, R. et al., EMBO J. (1995) **14(13)**:3159-3169). It is therefore evident that the area of BS69 that mediates interaction with E1A also mediates interaction with Smad2.

In order to assess the specificity of the BS69/Smad2 interaction, the other members of
15 the Smad family, as well as a totally unrelated protein, peroxisome proliferating antigen receptor gamma (PPAR-G), were examined for protein-protein interaction with BS69 in the two hybrid system. Each of the proteins were cloned from PCR reactions in a manner similar to that for Smad2 into the pGBD-1 vector in order to make GAL4 DNA binding domain fusions. Smad3 was cloned using PCR primers corresponding to SEQ ID Nos. 9 and 10.
20 Smad5 was cloned using PCR primers corresponding to SEQ ID Nos. 11 and 12. Smad6 was cloned using PCR primers corresponding to SEQ ID Nos. 13 and 14. Smad 7 was cloned using PCR primers corresponding to SEQ ID Nos. 15 and 16.

Table 2 summarises the results from the BS69 specificity two hybrid analysis. BS69 interacts very strongly with Smad2 and Smad3. A very weak (+/-) interaction is obtained with
25 Smad1 which may not be physiologically relevant. No interaction is observed with Smad4, Smad5, Smad6, or Smad7. BS69 does not interact with PPAR-G and cannot activate the reporter genes on its own. This indicates that the BS69 interaction observed is specific to Smad2 and Smad3 (possibly Smad1) suggesting a role for BS69 in modulating the activity of TGF-beta through Smad2 and/or Smad3. As BS69 was identified as a protein that interacts
30 with E1A, inhibiting its ability to activate transcription, the same may be true in relation to the TGF-beta pathway. Smad2 and Smad3 have both been shown to contain transcription

- 15 -

activation function. They heterodimerise with Smad4, translocate to the nucleus, and activate TGF-beta responsive genes. BS69 may function cellularly as an inhibitor of TGF-beta induced transcriptional activation by interacting with Smad2/Smad3 and inhibiting their ability to activate transcription.

- 5 It will be apparent to the person skilled in the art that use of the specific vectors and strains as described in this example is not essential. Other commercially available yeast two hybrid systems, using slightly different vectors and host strains, could be used. For example, Mav 203 yeast strain could be replaced by Clontech CG-1945 yeast strain and the pGAD and pGBD vectors could be replaced by the Clontech pGAD424 and pGBT9 vectors respectively.

10

Table 1: GAL4::Smad2 Interaction Verification

Co-Transformant Strength

-	-
AD::Fast-1	+++
AD::Smad4	+++
AD::Smad1	-

- 15 MAV203 were transformed with GAL4::Smad2 and the indicated co-transformant. They were then assayed for strength of interaction on their ability to activate the URA3, HIS3, and LacZ reporter gene.

Table 2: BS69 Specificity Interaction

20

Co-Transformant Strength

GAL4::Smad1	+/-
GAL4::Smad2	+++
GAL4::Smad3	+++
GAL4::Smad4	-
GAL4::Smad5	-

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GAL4::Smad6	-
GAL4::Smad7	-
GAL4::PPAR-G	-

MAV203 were transformed with AD::BS69 and the indicated co-transformant and assayed for ability to interact. Strength of interaction is assayed by ability to activate URA3, HIS3, and LacZ reporter gene.

5

Example 2.**Confirming that BS69 interacts with Smad2 and Smad3 *in vivo*.****Co-immunoprecipitation and Western blot analysis.**

10 The inventors have used pGen-Ires-neo as their chosen mammalian expression vector. The salient features of this construct are, in sequence: the backbone vector of plasmid pCI (Promega) with a CMV promoter for high level expression, a synthetic splice donor/acceptor sequence to ensure correct processing of transcripts, an engineered polylinker site to facilitate cloning of the gene to be expressed and the IRES element from encephalomyocarditis virus
15 (gift from Ira Pastan; see Sugimoto et al., Biotechnology (1994) 12:694) fused in frame to the initiating ATG of the neo gene from pcDNA3 (Invitrogen). It will be apparent to the person skilled in the art of mammalian expression that the use of this specific vector is not essential to the working of this example or the invention. Various alternative vectors, such as pIRES-neo (Clontech) and pCL-neo (Promega) could also be used.

20 PCR was used to create N-terminal Flag-tagged full length BS69 and truncated BS69 (amino acids 443 - 562), to be subcloned into pGen-Ires-neo expression vector. Full length hSmad-2, hSmad-3 without a tag, prepared according to Example 1, were also subcloned into pGen-Ires-neo.

The Flag octapeptide (5'-Asp-Tyr-Lys-Asp-Asp-Asp-Asp-Lys-3'; IBI Flag Biosystem;
25 SEQ ID No. 17) has a distinct anti Flag M1 monoclonal antibody binding site and has been carefully designed for easy access on the surface of the expression protein, allowing easy detection and purification.

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It was found that both full length BS69 and truncated BS69 bind to hSmad-2, and to hSmad-3. This experiment therefore confirms that the BS69 interaction with hSmad-2/-3 identified in the yeast two-hybrid screening is a true *in vivo* interaction.

5 **Example 3**

Mammalian reporter assay.

pGen-Ires-neo vector was used for expression of untagged full length hSmad-2, hSmad-3, hSmad-4, BS69 and untagged truncated BS69.

10 The 959bp fragment corresponding to the promoter region (-811bp to +148bp) of the PAI-1 gene was PCR'd from human genomic template DNA using SEQ ID Nos 23 and 24 primers. These primers allow addition of HindIII restriction sites at the 5' and the 3' ends to facilitate subcloning into the pGL3 basic vector (Promega - Luciferase reporter vectors - Technical manual, part#TM033).

15 The p300/CBP co-activator expression construct comprises the 1-7326bp nucleotide sequence of murine CREB Binding Protein, as published in Genbank (g435854), obtained by PCR from mouse brain mRNA using primers corresponding to SEQ ID Nos. 25 and 26. The 7,326kb BamHI-NotI fragment was subcloned into pRc/RSV expression plasmid (Invitrogen).

On day one, 10⁶ HepG2 cells (human hepatocellular carcinoma cells - Origin ECACC
20 85011430) were seeded per well of a 6 well plate in DMEM medium, 10%FCS, Glutamine and Penicillin/Streptavidin. Cells were transfected on day two by adding 4.75ug DNA/ well and 4ul of lipofectamine/ 4ul Reagent Plus (Life Technologies) per well as recommended by the manufacturer. Serum was added to the cells after 4 hours from. The medium was replaced with serum free medium the next day, and stimulated 7 hours later with 7.5ng/ml of TGF-
25 beta1 overnight. Cytosol extract and dual luciferase assay were done the following day. The dual luciferase reporter assay system (Promega, technical manual part#TM040) was used as recommended by the manufacturer, and using 5ng of pBRL per well for normalisation of the assay.

The activity of the luciferase reporter gene relates to the activity of the PAI-1 promoter
30 activation. PAI activity is minimal in the absence of TGF- β stimulation, but increases upon TGF- β stimulation. No effect of the above DNA constructs was observed in the absence of

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TGF- β stimulation, therefore all the following experiments were done with TGF- β stimulation. When hSmad-2 or hSmad-3 were transfected alone into HepG2 cells, an additional increase in promoter activation was observed. There was no change when hSmad-4, p300/CBP, hSmad4+p300/CBP, fl BS69 or d-BS69 were transfected alone.

5 hSmad-4 is known to form a complex with activated Smad-2/or-3, and therefore additional hSmad-4 (limiting factor) together with hSmad-2/or-3 will increase PAI activity, as found in this assay and observed previously.

P300/CBP has been shown to be a transcriptional co-activator implicated in TGF- β signalling promoter activation, and when added to Smad-2/or-3 together with Smad-4 induces
10 an additional increase in PAI activation (about 15%), as seen in our assay and observed previously.

Full length BS69 induces significant additional increase in PAI activation (up to 60%), when added to HepG2 cells together with hSmad-2/or-3, or hSmad-2/or-3 + hSmad-4 + p300/CBP.

15 Truncated BS69 acts like a dominant-negative form of BS69 when added to HepG2 cells together with hSmad-2/or-3, or hSmad-2/or-3 + hSmad-4 + p300/CBP. A small reduction of PAI activity is observed which probably correspond to the inhibitory effect of truncated BS69 to the full length constitutive basal expression of BS69 in HepG2 cells.

We have found using co-immunoprecipitation studies that both full length and
20 truncated BS69 can bind Smad-2/or-3, and that full length BS69 is able to induce additional PAI promoter activation when tested in a mammalian reporter assay.

Claims

1. A method for identifying modulators of BS69 activity, which method comprises contacting an assay system, capable of presenting information on the effects of a test
5 compound on the activity of BS69 or a derivative thereof, with a test compound and measuring the activity of BS69.
2. A method as claimed in claim 1, wherein BS69 activity refers to the ability of BS69 or a fragment thereof to bind to a BS69 binding protein.
- 10 3. A method as claimed in claim 2 wherein the BS69 binding protein is one selected from the group consisting of: Smad 2, Smad 3, a complex of Smad 2 and Smad 4, a complex of Smad 3 and Smad 4, or fragments thereof, or PAI-1 promoter element.
- 15 4. A cell or cell line comprising a reporter gene under the control of a BS69 transcription factor dependent promoter.
5. A method for identifying modulators of BS69 transcription which method comprises contacting a cell or cell line as claimed in claim 4 with a test compound, said cell or cell
20 line supplied with exogenous or endogenous BS69, and determining the effect on BS69 transcription by the test compound by reference to enhanced or reduced expression of the reporter gene.
6. A method of treatment of a patient in need of such treatment for a condition which is
25 mediated by the biological or pharmacological activity of BS69 on a human BS69 binding substrate, comprising administration of a polypeptide substantially as depicted in WO97/00323 SEQ ID NO:2 or a pharmacologically active fragment thereof.
7. A method of treatment of a patient in need of such treatment for a condition which is
30 mediated by the biological activity of BS69 on a human BS69 binding substrate, comprising administration of a nucleic acid substantially as depicted in WO97/00323

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SEQ ID NO:1 or the anti-sense sequence or a biologically-effective fragment of either thereof.

8. A compound that modulates BS69 transcription or other BS69 activity identified
5 according to the method as described in any of claims 1, 2, 3 and 5.
9. A pharmaceutical composition comprising a compound that modulates the biological or
pharmacological activity of BS69 on a human BS69 binding substrate identified
according to the method as described in any of claims 1, 2, 3 and 5.
10
10. A method of treatment of a patient in need of such treatment for a condition which is
mediated by the pharmacological or biological activity of BS69 on a human BS69
binding substrate comprising administration of a modulating compound or
pharmaceutical composition as claimed in claims 8 or 9.

-1-

SEQUENCE LISTING

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5 <120> METHODS

<130> LDSG/PHM 70421

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INTERNATIONAL SEARCH REPORT

International Application No

PCT/GB 99/03648

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	<p>HATEBOER G ET AL: "BS69, a novel adenovirus E1A-associated protein that inhibits E1A transactivation." EMBO JOURNAL, (1995 JUL 3) 14 (13) 3159-69. , XP000579801 cited in the application the whole document</p> <p style="text-align: center;">---</p>	1,2,8,9
X	<p>KEETON ET AL: "Identification of regulatory sequences in the type 1 plasminogen activator inhibitor gene responsive to transforming growth factor beta" JOURNAL OF BIOLOGICAL CHEMISTRY,US,AMERICAN SOCIETY OF BIOLOGICAL CHEMISTS, BALTIMORE, MD, vol. 266, no. 34, page 23048-23052-23052 XP002110964 ISSN: 0021-9258 page 23048, column 2, paragraph 5 -page 23049, column 1, paragraph 2</p> <p style="text-align: center;">---</p>	4
X	<p>DENNLER S ET AL: "Direct binding of Smad3 and Smad4 to critical TGF beta-inducible elements in the promoter of human plasminogen activator inhibitor-type 1 gene" EMBO JOURNAL,GB,OXFORD UNIVERSITY PRESS, SURREY, vol. 17, no. 11, page 3091-3100 XP002110965 ISSN: 0261-4189 page 3092, paragraph 2</p> <p style="text-align: center;">---</p>	4
X	<p>DE CAESTECKER M P ET AL: "Characterization of functional domains within Smad4/DPC4" JOURNAL OF BIOLOGICAL CHEMISTRY,US,AMERICAN SOCIETY OF BIOLOGICAL CHEMISTS, BALTIMORE, MD, vol. 272, no. 21, page 13690-13696 XP002084021 ISSN: 0021-9258 page 13692, column 2, line 8 -page 13693, column 1, line 6; figure 2B</p> <p style="text-align: center;">---</p>	4
X	<p>YINGLING ET AL: "Tumor suppressor Smad4 is a transforming growth factor b-inducible DNA binding protein" MOLECULAR AND CELLULAR BIOLOGY,US,WASHINGTON, DC, vol. 17, no. 12, page 7019-7028-7028 XP002106769 ISSN: 0270-7306 the whole document</p> <p style="text-align: center;">---</p>	4

-/--

INTERNATIONAL SEARCH REPORT

Int. Application No

PCT/GB 99/03648

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
P, X	<p>WO 99 40220 A (GAUTHIER JEAN MICHEL ; GLAXO GROUP LTD (GB)) 12 August 1999 (1999-08-12) page 29</p> <p>-----</p>	4

INTERNATIONAL SEARCH REPORT

International application No.

PCT/GB 99/03648

Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☒ Claims Nos.: -
because they relate to subject matter not required to be searched by this Authority, namely:
Although claims 6 and 7 are directed to a method of treatment of the human/animal body, the search has been carried out and based on the alleged effects of the compound/composition. Rule 39.1(iv) PCT - Method for treatment of the human or animal body by therapy.
2. ☐ Claims Nos.:
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box I.1

Although claims 6 and 7 are directed to a method of treatment of the human body, the search has been carried out and based on the alleged effects of the used compounds.

Continuation of Box I.1

Rule 39.1(iv) PCT - Method for treatment of the human or animal body by therapy

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/GB 99/03648

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
WO 9700323 A	03-01-1997	AU 6230496 A EP 0833924 A US 5985283 A	15-01-1997 08-04-1998 16-11-1999
WO 9940220 A	12-08-1999	NONE	

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference PHM 70421/WO	<div style="display: flex; justify-content: space-between;"> <div> FOR FURTHER ACTION </div> <div> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416) </div> </div>	
International application No. PCT/GB99/03648	International filing date (<i>day/month/year</i>) 04/11/1999	Priority date (<i>day/month/year</i>) 10/11/1998
International Patent Classification (IPC) or national classification and IPC G01N33/50		
Applicant ASTRAZENECA AB et al.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 8 sheets, including this cover sheet.

☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☒ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☒ Certain documents cited
- VII ☒ Certain defects in the international application
- VIII ☒ Certain observations on the international application

Date of submission of the demand 16/05/2000	Date of completion of this report 15.11.2000
Name and mailing address of the international preliminary examining authority: <div style="display: flex; align-items: center;"> <div> European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465 </div> </div>	Authorized officer Moreno de Vega, C Telephone No. +49 89 2399 7486



**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/GB99/03648

I. Basis of the report

1. This report has been drawn on the basis of *(substitute sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments (Rules 70.16 and 70.17).)*:

Description, pages:

1-19 as originally filed

Claims, No.:

1-10 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:
- ☐ the drawings, sheets:

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/GB99/03648

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

III. Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non-obvious), or to be industrially applicable have not been examined in respect of:

- ☐ the entire international application.
- ☒ claims Nos. 6, 7, 10.

because:

- ☒ the said international application, or the said claims Nos. 6, 7, 19 relate to the following subject matter which does not require an international preliminary examination (*specify*):
see separate sheet
- ☐ the description, claims or drawings (*indicate particular elements below*) or said claims Nos. are so unclear that no meaningful opinion could be formed (*specify*):
- ☐ the claims, or said claims Nos. are so inadequately supported by the description that no meaningful opinion could be formed.
- ☐ no international search report has been established for the said claims Nos. .

2. A meaningful international preliminary examination report cannot be carried out due to the failure of the nucleotide and/or amino acid sequence listing to comply with the standard provided for in Annex C of the Administrative Instructions:

- ☐ the written form has not been furnished or does not comply with the standard.
- ☐ the computer readable form has not been furnished or does not comply with the standard.

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes:	Claims 3, 5, 6
	No:	Claims 1, 2, 4, 7-10
Inventive step (IS)	Yes:	Claims 3
	No:	Claims 1,2, 4-10
Industrial applicability (IA)	Yes:	Claims 1-5, 8, 9

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/GB99/03648

No: Claims

2. Citations and explanations
see separate sheet

VI. Certain documents cited

1. Certain published documents (Rule 70.10)

and / or

2. Non-written disclosures (Rule 70.9)

see separate sheet

VII. Certain defects in the international application

The following defects in the form or contents of the international application have been noted:
see separate sheet

VIII. Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:
see separate sheet

dependent promoter. These documents appear to be novelty destroying for claim 4.

Thus, claims 1, 2, 4, 7-10 do not meet the requirements of Article 33(2) PCT.

2. Inventive step (Article 33(3) PCT)

Claim 6 is not considered to be inventive on the light of D1, which discloses the SEQ ID NO: 2 and a similar method using another sequence.

A cell line comprising a reporter gene under the control of a BS69 transcription factor dependent promoter is already described in D4-D7. Thus, claim 5 is obvious on the light of D4-D7 and is considered not to be inventive.

Claim 3 is considered to be inventive. D2, considered to be the most relevant prior art, fail to describe the relationship between BS69 and Smad proteins. The technical problem to be solved by claim 3 is the provision of methods for identifying modulators of BS69 activity. The solution provided by claim 3 is based on the discovery that the protein BS69 complexes with the Smad 2 and 3 proteins. This solution was neither disclosed nor suggested in the prior art.

3. For the assessment of the present claims 6, 7 and 10 on the question whether they are industrially applicable, no unified criteria exist in the PCT Contracting States. The patentability can also be dependent upon the formulation of the claims. The EPO, for example, does not recognize as industrially applicable the subject-matter of claims to the use of a compound in medical treatment, but may allow, however, claims to a known compound for first use in medical treatment and the use of such a compound for the manufacture of a medicament for a new medical treatment.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/GB99/03648

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

III. Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non-obvious), or to be industrially applicable have not been examined in respect of:

- ☐ the entire international application.
- ☒ claims Nos. 6, 7, 10.

because:

- ☒ the said international application, or the said claims Nos. 6, 7, 19 relate to the following subject matter which does not require an international preliminary examination (*specify*):
see separate sheet
- ☐ the description, claims or drawings (*indicate particular elements below*) or said claims Nos. are so unclear that no meaningful opinion could be formed (*specify*):
- ☐ the claims, or said claims Nos. are so inadequately supported by the description that no meaningful opinion could be formed.
- ☐ no international search report has been established for the said claims Nos. .

2. A meaningful international preliminary examination report cannot be carried out due to the failure of the nucleotide and/or amino acid sequence listing to comply with the standard provided for in Annex C of the Administrative Instructions:

- ☐ the written form has not been furnished or does not comply with the standard.
- ☐ the computer readable form has not been furnished or does not comply with the standard.

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims 3, 5, 6
	No: Claims 1, 2, 4, 7-10
Inventive step (IS)	Yes: Claims 3
	No: Claims 1,2, 4-10
Industrial applicability (IA)	Yes: Claims 1-5, 8, 9

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No: Claims

2. Citations and explanations
see separate sheet

VI. Certain documents cited

1. Certain published documents (Rule 70.10)

and / or

2. Non-written disclosures (Rule 70.9)

see separate sheet

VII. Certain defects in the international application

The following defects in the form or contents of the international application have been noted:
see separate sheet

VIII. Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:
see separate sheet

Re Item III

Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

Claims 6, 7 and 10 relate to subject-matter considered by this Authority to be covered by the provisions of Rule 67.1(iv) PCT. Consequently, no opinion will be formulated with respect to the industrial applicability of the subject-matter of these claims (Article 34(4)(a)(i) PCT).

Re Item V

Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

Reference is made to the following documents:

- D1: KUROSUMI K ET AL: 'BRAM1, a BMP receptor-associated molecule involved in BMP signalling.' GENES TO CELLS, (1998 APR) 3 (4) 257-64. , cited in the application
- D2: WO 97 00323 A (PROLIFIX LTD ;VER NL KANKER INST (NL); HATEBOER GUUS (NL); BERNARD) 3 January 1997 (1997-01-03) cited in the application
- D3: WO 99 40220 A (GAUTHIER JEAN MICHEL ;GLAXO GROUP LTD (GB)) 12 August 1999 (1999-08-12)
- D4: HATEBOER G ET AL: 'BS69, a novel adenovirus E1A-associated protein that inhibits E1A transactivation.' EMBO JOURNAL, (1995 JUL 3) 14 (13) 3159-69, cited in the application
- D5: KEETON ET AL: 'Identification of regulatory sequences in the type 1 plasminogen activator inhibitor gene responsive to transforming growth factor beta' JOURNAL OF BIOLOGICAL CHEMISTRY,US,AMERICAN SOCIETY OF BIOLOGICAL CHEMISTS, BALTIMORE, MD, vol. 266, no. 34, page 23048-23052-23052 ISSN: 0021-9258
- D6: DENNLER S ET AL: 'Direct binding of Smad3 and Smad4 to critical TGF beta-inducible elements in the promoter of human plasminogen activator

inhibitor-type 1 gene' EMBO JOURNAL,GB,OXFORD UNIVERSITY PRESS,
SURREY, vol. 17, no. 11, page 3091-3100 ISSN: 0261-4189

D7: DE CAESTECKER M P ET AL: 'Characterization of functional domains within
Smad4/DPC4' JOURNAL OF BIOLOGICAL CHEMISTRY,US,AMERICAN
SOCIETY OF BIOLOGICAL CHEMISTS, BALTIMORE, MD, vol. 272, no. 21,
page 13690-13696 ISSN: 0021-9258

1. Novelty (Article 33(2) PCT)

D1 discloses the isolation of a cytoplasmic molecule associated with the bone morphogenetic protein (BMP) type A receptor (BMPRI-A), this molecule being designated as BMP receptor associated molecule (BRAM1). BRAM1 is an alternatively spliced form of BS69 (see Abstract). The interaction of BRAM1 with other molecules involved in TAK1 (TGF- β activated kinase 1) mediated BMP signalling cascade by the use of the yeast two-hybrid system is examined (see page 261-page 262, 1st paragraph, page 262, right column, 3rd paragraph). This document appears to be novelty destroying for claims 1, 2 and 8.

D2 discloses assaying for promoters or inhibitors of dimerisation of BS69 with a complexor, e. g. a protein (see page 13, lines 10-12, page 21 lines 10-24, claims 24-29), and candidate therapeutic agents and methods of gene therapy using a polynucleotide including the SEQ ID NO: 1 (page 12, claims 31 and 32). This document appears to be novelty destroying for claims 1, 2, 7-10

D3 describes the cloning of BS69, which coimmunoprecipitates with E1A protein in adenovirus transformed 293 cells (see abstract, page 3160 right column). This document appears to be novelty destroying for claims 1, 2 and 8.

D4 (see page 23048, right column, 5th paragraph - page 23049, left column, 2nd paragraph), D5 (Abstract, page 3092, left column 2nd paragraph), D6 (Figure 2) and D7 (see Materials and Methods) disclose a cell line comprising a reporter gene under the control of a BS69 transcription factor

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dependent promoter. These documents appear to be novelty destroying for claim 4.

Thus, claims 1, 2, 4, 7-10 do not meet the requirements of Article 33(2) PCT.

2. Inventive step (Article 33(3) PCT)

Claim 6 is not considered to be inventive on the light of D1, which discloses the SEQ ID NO: 2 and a similar method using another sequence.

A cell line comprising a reporter gene under the control of a BS69 transcription factor dependent promoter is already described in D4-D7. Thus, claim 5 is obvious on the light of D4-D7 and is considered not to be inventive.

Claim 3 is considered to be inventive. D2, considered to be the most relevant prior art, fail to describe the relationship between BS69 and Smad proteins. The technical problem to be solved by claim 3 is the provision of methods for identifying modulators of BS69 activity. The solution provided by claim 3 is based on the discovery that the protein BS69 complexes with the Smad 2 and 3 proteins. This solution was neither disclosed nor suggested in the prior art.

3. For the assessment of the present claims 6, 7 and 10 on the question whether they are industrially applicable, no unified criteria exist in the PCT Contracting States. The patentability can also be dependent upon the formulation of the claims. The EPO, for example, does not recognize as industrially applicable the subject-matter of claims to the use of a compound in medical treatment, but may allow, however, claims to a known compound for first use in medical treatment and the use of such a compound for the manufacture of a medicament for a new medical treatment.

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C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
P, X	<p>WO 99 40220 A (GAUTHIER JEAN MICHEL ; GLAXO GROUP LTD (GB)) 12 August 1999 (1999-08-12) page 29</p> <p>-----</p>	4

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box I.1

Although claims 6 and 7 are directed to a method of treatment of the human body, the search has been carried out and based on the alleged effects of the used compounds.

Continuation of Box I.1

Rule 39.1(iv) PCT - Method for treatment of the human or animal body by therapy

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/GB 99/03648

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
WO 9700323 A	03-01-1997	AU 6230496 A EP 0833924 A US 5985283 A	15-01-1997 08-04-1998 16-11-1999
WO 9940220 A	12-08-1999	NONE	

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box I.1

Although claims 6 and 7 are directed to a method of treatment of the human body, the search has been carried out and based on the alleged effects of the used compounds.

Continuation of Box I.1

Rule 39.1(iv) PCT - Method for treatment of the human or animal body by therapy

INTERNATIONAL SEARCH REPORT

International Application No

PCT/GB 99/03648

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

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INTERNATIONAL SEARCH REPORT

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WO 9940220 A	12-08-1999	NONE	